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Commission on Narcotic Drugs
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Agenda item 5
Implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem: follow-up to the high-level review by the Commission on Narcotic Drugs, in view of the special session of the General Assembly on the world drug problem to be held in 2016

Australia, Belarus, Japan, Tajikistan and United States of America: draft resolution

Promotion of measures, including voluntary cooperation and timely and effective legislative, regulatory, and administrative responses to target new psychoactive substances, amphetamine-type stimulants and precursors

The Commission on Narcotic Drugs,

Underscoring that the illicit global synthetic drug market, including both amphetamine-type stimulants and new psychoactive substances, continues to expand at a dramatic rate, that chemicals are used in the production of such drugs, and that an effective response requires balanced and integrated action,

Recognizing that there are still gaps in the knowledge of adverse impacts and risks to public health and safety produced by new psychoactive substances and that new psychoactive substances can have effects similar to those of internationally controlled drugs,

Recognizing that the amphetamine-type stimulant problem continues to affect several regions of the world,

Concerned that non-controlled precursor chemicals are being used as substitutes for internationally controlled precursor chemicals in the manufacture of illicit drugs,

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Deeply concerned about the combination of the diversity and the speed with which new psychoactive substances emerge and spread and the role that the Internet and the media play in the trade in and promotion of these substances, which often requires swift adaptation of national regulatory frameworks and changes in the scheduling of new psychoactive substances subject to international control,

Recognizing that drug traffickers are exploiting the market to make available an increasing number of new psychoactive substances as alternatives to internationally controlled licit and illicit drugs for purposes of abuse,

Recognizing also that a comprehensive global response to new psychoactive substances requires distinct but complementary approaches at the national, regional and international levels, including international scheduling of the most persistent, prevalent and harmful substances, and enhanced national action guided by local circumstances,

Recognizing further the common challenges in reducing the diversion of precursor chemicals for new psychoactive substances and amphetamine-type stimulants,

Highlighting progress that has been achieved by some Member States in identifying, monitoring and reporting on new psychoactive substances,

Recognizing that Member States face different challenges in reducing the supply and demand of new psychoactive substances and amphetamine-type stimulants, but that there are some common characteristics of manufacture and mutual licit precursor chemicals,

Recognizing also the importance of having in place appropriate national legislative, regulatory and administrative policies that can respond to emerging new psychoactive substances in a timely and effective manner,

Acknowledging the emphasis placed by the International Narcotics Control Board on the need to further strengthen existing precursor control measures and on the need for effective administrative, legislative and regulatory controls and structures around the legitimate trade in precursor chemicals within national borders so as to further strengthen existing precursor control measures, should any weaknesses be identified, as a means of implementing article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[1]

Recognizing the importance of applying national precursor controls with uniform effectiveness globally as a means of avoiding the displacement of diversion points across national borders,

Recalling its resolution 58/11 of 17 March 2015, on promoting international cooperation in responding to new psychoactive substances and amphetamine-type stimulants, including methamphetamine, in which Member States agreed to share information on novel treatment models,

Recalling also related resolutions, such as Economic and Social Council resolutions 1996/29 of 24 July 1996 and 2001/14 of 24 July 2001, and Commission on Narcotic Drugs resolutions 50/10 of 16 March 2007, 54/8 of 25 March 2011

[1] United Nations, *Treaty Series*, vol. 1582, No. 27627.

and 56/13 of 15 March 2013, in which the importance of measures to enhance cooperation between competent authorities and concerned industrial sectors and operators in order to promote greater awareness of chemicals used in the illicit manufacture of drugs and to facilitate the identification of suspicious transactions and orders involving both internationally controlled and non-controlled precursor chemicals was emphasized,

Recalling further its resolutions 55/1 of 16 March 2012, 56/4 of 15 March 2013, 57/9 of 21 March 2014 and 58/11 of 17 March 2015, on enhancing international cooperation on new psychoactive substances, in particular relating to exchanging information, sharing best practice in demand and supply reduction and supporting the international drug scheduling system to meet the challenges posed by these substances,

Highlighting the important role of the International Narcotics Control Board in the ongoing success of the Project Ion Incident Communication System in improving understanding of the problem of new psychoactive substances, and the role of the global Synthetics Monitoring: Analysis, Reporting and Trends programme of the United Nations Office on Drugs and Crime in the collection of information on new psychoactive substances,

Acknowledging the value of the early warning advisory on new psychoactive substances and of the World Health Organization in supporting the development of an international response to the challenge of new psychoactive substances through the provision of scheduling recommendations regarding new psychoactive substances to the Commission, as noted in its resolution 57/9,

Welcoming the report of the United Nations Office on Drugs and Crime entitled *The Challenge of New Psychoactive Substances*, published in March 2013, which provides a comprehensive overview of the nature and magnitude of the problem of new psychoactive substances,

Welcoming also the efforts by the World Health Organization to meet regularly for the evidence-based review of new psychoactive substances for potential control under the Single Convention on Narcotic Drugs of 1961[2] and the Convention on Psychotropic Substances of 1971,[3]

Welcoming further the role of the International Narcotics Control Board in conducting relevant assessments of precursor chemicals under article 12 of the 1988 Convention, as necessary,

Welcoming the outcome document entitled "Proposed measures against the misuse of scheduled and non-scheduled precursors and new psychoactive substances" of the international conference on precursor chemicals and new psychoactive substances jointly convened by the International Narcotics Control Board and the United Nations Office on Drugs and Crime in Bangkok from 21 to 24 April 2015, in which the need for cooperation to prevent internationally controlled and non-controlled precursors and new psychoactive substances from reaching illicit drug manufacturing laboratories and markets for illicit or harmful purposes was highlighted,

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[2] Ibid., vol. 520, No. 7515.

[3] Ibid., vol. 1019, No. 14956.

Recognizing that industry cooperation is an effective measure to address the illicit supply of non-controlled substances, including non-controlled precursor chemicals, as well as new psychoactive substances and their precursors,

Welcoming the placing of selected precursors and new psychoactive substances under international control, including the nine substances placed under control by the Commission on Narcotic Drugs at its fifty-eighth session, while recognizing that the international scheduling of priority substances must be accompanied by enhanced domestic and international action to develop a balanced and integrated response,

1. *Encourages* Member States to review domestic demand reduction programmes with a view to enhancing educational campaigns to enhance awareness about the dangers of new psychoactive substances;

2. *Urges* continued focus on amphetamine-type stimulants, including methamphetamine, the devastating impact these substances have on the community, and the environmental damage caused by the waste generated by clandestine manufacture;

3. *Encourages* Member States to consider the important role of precursor chemicals in the production of all synthetic drugs, including new psychoactive substances and amphetamine-type stimulants;

4. *Urges* Member States to support research and analysis on patterns of use, public health harms, including evidence of acute toxicity and dependence resulting from use of new psychoactive substances and amphetamine-type stimulants, forensic data and regulatory responses, and to share findings through bilateral, regional and multilateral channels;

5. *Also urges* Member States, as well as regional organizations, the United Nations Office on Drugs and Crime, the World Health Organization, the International Narcotics Control Board and other relevant organizations, to continue to collect data and share information, in line with their respective mandates, so as to build a collective global understanding of the movement of precursor chemicals, amphetamine-type stimulants and new psychoactive substances and better inform evidence-based policymaking and operational cooperation;

6. *Urges* Member States and regional organizations to support the domestic and international collection of data on new psychoactive substances, including patterns of use, harm and similarities in effects and composition to existing drugs, so that the Expert Committee on Drug Dependence of the World Health Organization, with the support of the United Nations Office on Drugs and Crime, can provide timely evidence-based scheduling recommendations on the most prevalent, persistent and harmful new psychoactive substances, taking public health harm as the primary factor in prioritizing substances;

7. *Invites* Member States to respond swiftly and effectively to the emergence of new psychoactive substances by considering a variety of control, regulatory, legislative and administrative initiatives as part of a timely, effective balanced and integrated domestic response, including legislation on controlled substance analogues, generic laws based on chemical structures of substances, full regulatory approaches, temporary, provisional or emergency control measures, rapid scheduling procedures, and actions in the area of public health, including those

relating to amphetamine-type stimulant pharmaceutical products, consumer protection and hazardous substances;

8. *Calls upon* Member States to exchange information through bilateral and multilateral channels on legislative, regulatory and administrative responses they adopt in order to effectively tackle the threat posed by new psychoactive substances;

9. *Invites* the World Health Organization, with the support of the United Nations Office on Drugs and Crime, relevant regional organizations and Member States, to continue conducting regular and timely evidence-based reviews of the most harmful, prevalent and persistent new psychoactive substances, and to use risk to public health and safety as the primary factor in prioritizing substances for review;

10. *Also invites* the World Health Organization, with the support of the United Nations Office on Drugs and Crime, relevant regional organizations and Member States, to disseminate its surveillance list of substances of concern, to proactively collect evidence on these substances that supports future evidence-based reviews, and to issue voluntary public health alerts where there is sufficient evidence that a new psychoactive substance poses a risk to public safety;

11. *Calls upon* all Governments to explore the full potential of cooperation between competent authorities and concerned industrial sectors of all sizes and at all levels with regard to preventing the supply of internationally controlled and non-controlled precursor chemicals to illicit drug manufacturing laboratories and the supply of new psychoactive substances to markets for illicit or harmful purposes;

12. *Invites* the International Narcotics Control Board, with relevant information and support, including from the United Nations Office on Drugs and Crime, relevant regional organizations and Member States, to systematically collect all available information and to conduct assessments, as necessary, of non-controlled precursor chemicals used in the manufacture of illicit drugs and new psychoactive substances;

13. *Encourages* Governments to make use of the International Narcotics Control Board's *Guidelines for a Voluntary Code of Practice for the Chemical Industry*[4] to develop voluntary mechanisms of cooperation, such as memorandums of understanding with all concerned industrial sectors and to fully incorporate the principles of such cooperation into the concept of corporate social responsibility;

14. *Invites* the International Narcotics Control Board, drawing on the expertise of the task force on new psychoactive substances through Project Ion, the United Nations Office on Drugs and Crime and relevant regional organizations to disseminate the newly created limited international special surveillance lists for new psychoactive substances for which sufficient information exists on their availability and public health harms and to support Member States in restricting their supply;

15. *Encourages* all Member States to establish arrangements, whether voluntary, administrative or legislative, whereby their domestic operators involved in the trade of the substances included in the international special surveillance lists of non-controlled precursor chemicals and new psychoactive substances, or any

[4] United Nations publication, Sales No. E.09.XI.17.

similar list maintained by Member States, will report suspicious orders of these chemicals and substances and cooperate with national enforcement and control authorities with regard to those chemicals and substances;

16. *Reminds* Member States, subject to their constitutional principles and the basic concepts of their legal systems, to take civil, criminal or administrative action against suppliers of and traders in controlled substances, and invites Member States, where possible, to take such action with respect to non-controlled substances, including substances included in the special surveillance lists, or substances known to be abused or diverted for illicit purposes into or within the national territory, and their analogues, for failure to cooperate with the authorities to prevent the illicit supply and diversion of any such substances;

17. *Encourages* Member States to coordinate the public health and law enforcement responses to the dynamic new psychoactive substance and amphetamine-type stimulant markets in the various countries and regions in order to share information about the most effective strategies, both regulatory and in the area of law enforcement, including innovative legislative models and novel approaches to controlling these substances;

18. *Also encourages* Member States to complement international efforts to restrict the supply of new psychoactive substances and amphetamine-type stimulants through strengthened border and domestic controls and monitoring, such as through national legislative, regulatory and administrative measures, to prevent production, importation and distribution, including promotion, distribution and sales through the Internet;

19. *Invites* Member States, if they are unable to stop shipments of substances included in the international surveillance lists, to inform the authorities of transit and destination countries of known shipments, so that those authorities may take appropriate action on incoming shipments;

20. *Urges* Governments, in accordance with their national legislation, to make full use of existing tools, including those provided by the International Narcotics Control Board, in particular Pre-Export Notification Online, the Precursors Incident Communication System, the Project Ion Incident Communication System, and the mechanisms and operations under Project Prism, Project Cohesion and Project Ion for the exchange of information and common investigations, in order to address the sourcing of and trafficking in non-controlled substances;

21. *Invites* countries that have reviewed individual non-controlled substances (both precursors and new psychoactive substances) with a view to imposing national controls, to share with Project Ion information on those substances confirming the absence of any currently known recognized legitimate uses (beyond limited research and laboratory analysis);

22. *Requests* the United Nations Office on Drugs and Crime to provide technical assistance to Member States, in particular to developing countries, upon their request, to develop timely and effective legislative, regulatory and administrative responses to emerging new psychoactive substances;

23. *Urges* Member States, in consultation with the International Narcotics Control Board, the United Nations Office on Drugs and Crime and other relevant international organizations, to provide support for the training of experts and

officials in various aspects of regulatory controls, with particular emphasis on preventive measures such as chemical control and effective voluntary cooperation with relevant industries, bearing in mind that such training may often be best delivered on a regional basis;

24. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.